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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re: Mindy Sue Skyles,  Debtor.	Case No. 20-25985  Chapter 13  Hon. Kevin R. Anderson
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**DEBTORS' MOTION TO DETERMINE REASONABLENESS AND  
APPROPRIATENESS OF POSTPETITION MORTGAGE FEES, EXPENSES, AND  
CHARGES OF US BANK TRUST NA, AS TRUSTEE OF THE IGLOO SERIES III  
TRUST**

Debtor, Mindy Sue Skyles, by and through her attorney of record, Michael J. Watton and the Watton Law Group, hereby request that this Court determine whether payment of the fees requested by **US BANK TRUST NA, AS TRUSTEE OF THE IGLOO SERIES III TRUST** (“Creditor”) are required by the underlying agreement and applicable non bankruptcy law to cure the default and maintain payments in accordance with §1322(b)(5) of the bankruptcy code.

1. The Notice of Postpetition Fees, Expenses and Charges dated December 29, 2020 (“Notice of Fees”) filed by Armand J. Howell of Halliday, Watkins & Mann PC on behalf of

Creditor in the amount of \$1,350.00 should be denied as filed.

2. The Notice of Fees is filed pursuant to Federal Rule of Bankruptcy Procedure 3002.1. Rule 3002.1(a) states that “This rule applies in a chapter 13 case to claims (1) that are secured by a security interest in the debtor’s principal residence, **and** (2) for which the plan provides that either the trustee or the debtor will make contractual installment payments.” (emphasis added).

3. The plan filed by Debtor does not provide for either the Trustee or the Debtor to make contractual installment payments.

4. The plan filed by Debtor will pay Creditor under Part 3.2 of the plan, pursuant to 11 U.S.C. § 1322(c)(2). This plan treats Creditor as other secured creditors normally are treated in Chapter 13 Plans, such as car lenders. Any attorney fees incurred by secured creditors, and specifically Creditor in this case, are paid by the secured creditor.

5. The Notice of Fees specifies attorney fees of \$300.00 for Plan Review. No objection to the Plan has been filed by Creditor.

6. The Notice of Fees filed by Armand J. Howell of Halliday, Watkins & Mann PC on behalf of Creditor in the amount of \$1,350.00 should be denied as filed.

Dated: April 27, 2021

Watton Law Group

/s/ Michael J. Watton  
Michael J. Watton  
Michael J. Reed  
Attorneys for the Debtor

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 27, 2021, I electronically filed the foregoing Motion with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users.

Chapter 13 Trustee: <a href="mailto:ecfmail@ch13ut.org">ecfmail@ch13ut.org</a>
U.S. Trustee's Office: <a href="mailto:USTPRegion19.SK.ECF@usdoj.gov">USTPRegion19.SK.ECF@usdoj.gov</a>

I hereby certify that on April 27, 2021, I caused to be serviced a true and correct copy of the forgoing Notice of Modified Chapter 13 Plan as follows:

**Mail Services: First-class U.S. Mail, postage pre-paid address to:**

Halliday, Watkins & Mann, PC  
376 East 400 South, Suite 300  
Salt Lake City, UT 84111

/s/ Ashley Hermann, Paralegal for Watton Law Group